

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re

THE LEGACY ESTATE GROUP, LLC,

No. 05-14659

Debtor(s).

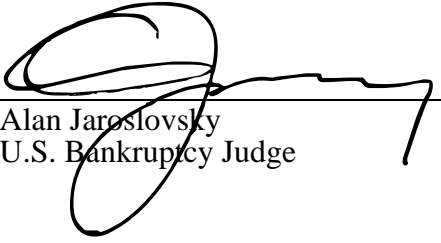
Memorandum on Motion to Reopen

Reopening a closed case is an administrative matter accomplished by *ex parte* application. *In re Staffer*, 306 F.3d 967, 972 (9<sup>th</sup> Cir. 2002). Reopening “functions primarily to enable the file to be managed by the clerk as an active matter” and “by itself, lacks independent legal significance and determines nothing with respect to the merits of the case.” *In re Menk*, 241 B.R. 896, 913 (9<sup>th</sup> Cir.BAP 1999).

In this case, Counsel for Jackson Family Wines, Inc. and Jackson Family Investments III, LLC, made a procedural mistake by noticing a motion to reopen instead of just applying for an order. Taking the bait, Creditor Silverado Brewing Company has opposed the motion. The court hopes nobody is being charged legal fees for this needless tempest.

The application to reopen is accordingly approved, without prejudice to all substantive arguments and rights. Counsel for Jackson Family shall submit an appropriate form of order.

Dated: January 5, 2012



Alan Jaroslovsky  
U.S. Bankruptcy Judge